

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In re Numbering Resource Optimization)	CC Docket No. 99-200
)	
South Bay Cities Council of)	
Governments, <i>et al.</i> Petition for)	DA 05-3158
Emergency Relief of the California)	
Public Utilities Commission's Decision)	
to Implement an All Services Area Code)	
Overlay in the 310 Area Code)	

**REPLY COMMENTS OF
T-MOBILE USA, INC., CINGULAR WIRELESS LLC AND AT&T INC.**

T-Mobile USA, Inc., Cingular Wireless LLC, and AT&T Inc. on behalf of its affiliates (collectively, the "Joint Telecommunications Carriers") respectfully submit these reply comments to the comments filed on December 23, 2005,¹ in response to the Petition for Emergency Relief ("Petition") filed by the South Bay Cities Council of Governments ("SBCCOG") and The Telephone Connection of Los Angeles, Inc. and The Telephone Connection Local Services, LLC ("TCLA") (collectively, the "Petitioners").²

¹ Comments of the California Cable & Telecommunications Association (filed Dec. 22, 2005); Response of the California Public Utilities Commission and the People of the State of California (filed Dec. 23, 2005); Comments of Sprint Nextel Corporation (filed Dec. 22, 2005); Comments of Verizon Wireless (filed Dec. 23, 2005); and Verizon California Inc.'s Opposition to Petition for Emergency Relief (filed Dec. 23, 2005).

² South Bay Cities Council of Governments, The Telephone Connection of Los Angeles, Inc. and the Telephone Connection Local Services, LLC, *Petition for Emergency Relief*, CC Dkt. 96-98 (filed Nov. 23, 2005) (the "Petition"); *see also Wireline Competition Bureau Seeks Comment on South Bay Cities Council of Governments, et al., Petition for Emergency Relief of the California Public Utilities Commission's Decision to Implement an All-Services Area Code Overlay in the 310 Area Code*, DA 05-3158 (rel. Dec. 8, 2005) ("Public Notice").

The initial comments reflect universal opposition to the stay Petitioners seek.³ Although the initial comments did not reflect universal agreement with respect to whether the dialing plan in California is discriminatory, all the parties agree that the Petition nonetheless should be denied because (1) “the *Overlay Decision* is not the source of the dialing pattern to which the Petitioners object”⁴ (2) the harm that is certain to result if the requested stay is granted would far outweigh any harm that Petitioners have alleged,⁵ and (3) the CPUC “will continue the discussion . . . by taking comments from parties on whether the state should move towards a statewide 10-digit dialing protocol.”⁶

³ California Public Utilities Commission and the People of the State of California at 3, 5-11 (stating that “the relief Petitioners seek should be denied” and asserting that the Petitioners fail to meet the test for a stay); California Cable & Telecommunications Assoc. at 2-10 (urging the Commission to deny Petitioners’ request for a stay and explaining that the Petitioners did not justify the request for a stay); Sprint Nextel, *passim* (same); Verizon at 1-4, 7-9 (urging that the Commission immediately deny the Petitioners’ request for a stay); Verizon Wireless, *passim* (opposing the Petition for a Stay and explaining that the stay is not justified).

⁴ Sprint Nextel at 5. *See also* California Cable & Telecommunications Assoc. at 6-7 (stating that “[t]he dialing inconsistency between wireless dialing protocol (where only a ten-digit number is transmitted) and wireline dialing protocol (where an eleven-digit number is transmitted) already exists throughout California”); California Public Utilities Commission and the People of the State of California at 11-13 (explaining the history of California’s use of 1+10-digit dialing pattern and stating that “[a]s the regional number plan administrator, Pacific informed other service providers in the state that the standard for California would require carriers to use the 1+ prompt for inter-NPA calls”); Verizon at 6-7 (“the wireline network in California is currently configured to require dialing ‘1’ before dialing a ten-digit telephone number”); Verizon Wireless at 10 (stating that “some wireline carriers in California strongly supported the 1+10 digit dialing because their wireline networks require the extra digit to properly process the calls”).

⁵ California Public Utilities Commission and the People of the State of California at 7-11 (stating that the Petitioners’ harms are speculative and that the public and interested parties will suffer substantial harm if the stay is granted); California Cable & Telecommunications Assoc. at 3-7 (stating that a stay would substantially harm the public and Petitioners have not sufficiently demonstrated irreparable injury); Sprint Nextel at 3-6 (describing harm to public and Petitioners’ failure to timely raise their concerns about the 1+10-digit dialing pattern); Verizon at 3-4, 7-8 (describing harm to the public if a stay is granted and asserting Petitioners’ failure to demonstrate harm justifying a stay); Verizon Wireless at 3-8 (same).

⁶ California Public Utilities Commission and the People of the State of California at 18-19. *See also* California Cable & Telecommunications Assoc. at 7 (stating that “[t]he CPUC appears ready to examine this California-specific protocol matter in a global fashion through the comment process set forth in its Decision 05-12-047”); Sprint Nextel at 6 (“Petitioners may seek relief in an open CPUC proceeding in which the 1+10-digit dialing protocol will be considered more fully”); Verizon Wireless at n.21 (stating that “[t]he CPUC . . . recently required all interested parties to submit technical comments regarding changes in statewide dialing patterns in California”).

In sum, the record demonstrates that any delay in implementation of the *Overlay Plan* will inevitably lead to complete exhaust of the 310 NPA, which will cause far greater and certain harm to both consumers and carriers than any alleged and speculative harm Petitioners claim. Therefore, the Joint Telecommunications Carriers urge the Federal Communications Commission promptly to deny the Petition and permit the CPUC to continue implementation of its *Overlay Plan* on schedule.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Todd D. Daubert', with a long horizontal flourish extending to the right.

Todd D. Daubert

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